

JC20 Rec'd PCT/PTO 12 OCT 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Melotto et al.

Serial No.: To Be Assigned

Group Art Unit:

File Date: Concurrently Herewith

Examiner:

For: Combinations Comprising Paroxetine and 2-(S)-(4-Fluoro-2-Methyl-Phenyl)-Piperazine-1-Carboxylic Acid '1-(R)-(3,5-BIS-Trifluoro-2-Methyl-Phenyl)-Ethyl-Methyl Amide
For Treatment of Depression and/or Anxiety

Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

☐ Copies of the references are enclosed:

☐ Copies of the references were submitted in parent application _____ (37 CFR 1.98(d))

☒ A copy of the International Search Report which issued on International Application No.

PCT/EP04/004126 is submitted herewith. All of the publications cited in the International Search Report are listed on the attached form PTO-1449 and Applicants understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

☐ The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action or after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but **before** the mailing date of either:

- (1) a final action under § 1.113 or
- (2) a notice of allowance under § 1.311, whichever occurs first.

☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

☐ Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

C. ☐ The Information Disclosure Statement transmitted herewith is being filed **after** a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

10/552869

1020 P. 38,181 12 OCT 2005

- ☐ Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ Applicant hereby petitions for the consideration of the accompanying Information Disclosure Statement. 37 CFR 1.97(d)(ii).
- ☐ The petition fee set forth in § 1.17(i)(1) (\$130.00) is submitted herewith.

☒ Please charge any required fees to Deposit Account No.07-1392.

☐ A duplicate copy of this paper is attached.

Respectfully Submitted,



Lorie Ann Morgan
Registration No. 38,181

Date: 12 Oct 2005

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT				SERIAL NO. 110 Be Assigned			
				FILING DATE Concurrently Herewith			
				APPLICANT Melotto			
				GROUP			
				EXAMINER			
				ATTORNEY DOCKET NO. PB60212USW			
U.S. PATENT DOCUMENTS							
Examiner Initials		Patent Number	Issue Date	Name	Class	Subclass	Filing Date If Appropriate
		US2003/144270	July 31, 2003	Laci et al.			
		US2002/123491	Sept. 5, 2002	Xiao et al.			
		US2003/064980	Apr. 3, 2003	Xiao et al.			
Continue on page _____							
FOREIGN PATENT DOCUMENTS							
		Document Number	Publication Date	Country	Class	Subclass	Translation Yes No
		WO 02/10141	Feb. 7, 2002	WIPO			
		WO 01/44200	June 21, 2001	WIPO			
		WO 01/25219	Apr. 12, 2001	WIPO			
		WO 03/015784	Feb. 27, 2003	WIPO			
Continue on page _____							
OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)							
Continue on page _____							
EXAMINER					DATE CONSIDERED		
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.							